



FOR CLERK USE ONLY

City Council

Item No. 15

CITY COUNCIL AGENDA FACT SHEET

Community Development

Mar 16, 2010

Department

Requested Date

1. Request:

Council Approval

Information Only/
Presentation

Other (specify)



Hearing



2. Requested Action:

Adoption of a Resolution approving Negative Declaration No. 2010-01. Adoption of Resolution approving General Plan Amendment No. 2010-01 and conduct first reading and introduce Ordinance No. 2010-___ approving Zone Change No. 2010-01.

3. Fiscal Impact:

Revenue:

Increase



Source:

Decrease



Amount:

Cost:

Increase



Source:

Decrease



Amount:

\$Unknown at this time.

Does Not Apply



4. Reviewed By:

Finance Dept. on

By:

Comments:

City Attorney on

By:

Comments:

Note: Back up must be submitted along with this form. Deadline is 5:00 p.m., 2 Fridays before the scheduled meeting date.

CLERK USE ONLY:

CITY COUNCIL DATE:

Action



Filing



Consent



Presentation



Hearing



Other(specify)



Reviewed by: City Clerk

City Manager

Date

Date

CITY COUNCIL AGENDA REPORT

SUBJECT: Public Hearing – General Plan Amendment No. 2010-01 and Zone Change No. 2010-01 (Chelsea). Proposed general plan amendment from LDR, Low Density Residential to HDR, High Density Residential and subsequent zone change from PUD, Planned Unit Development to R-A, Residential Apartment (20-30 units/acre) for approximately 6 acres located within the Meadows Village Subdivison, Lot 2, Unit 8.

AGENDA DATE: March 16, 2010

PREPARED BY: Mark Vasquez, Associate Planner

REVIEWED BY: Armando G. Villa, Director of Planning & Community Development Services

APPROVED FOR AGENDA BY: Victor Carrillo, City Manager

RECOMMENDATION:

- 1) Adoption of Resolution No. 2010-__ approving Negative Declaration No. 2010-01 without monitoring plan for General Plan Amendment No. 2010-01 and Zone Change No. 2010-01.
- 2.) Adoption of Resolution No. 2010-__ approving General Plan Amendment No. 2010-01.
- 3.) Conduct first reading and introduce Ordinance No. 2010-__ approving Zone Change No.2010-01.

FISCAL IMPACT: None.

BACKGROUND INFORMATION:

The Planning Commission reviewed a request for a general plan amendment from Low Density Residential to High Density Residential usage and subsequent zone change from PUD, Planned Unit Development to RA, Residential Apartment for about 6 acres of vacant land located within the Meadows Village Subdivison, Unit 2, Lot 8. The applications are being requested for the future development of 120 apartment units to be constructed in two phases.

The site is bounded to the North and East by existing high density residential uses (20 -30 units/acre and to the south and west by low density residential units (1-6 acres/acre). Apartment uses are located north and east of the project site with single family homes located on the South. Residential townhomes are located to the west. The site is bounded

to the north and east by the RA zone, to the South by R-1 zoning and to the west by the PUD zone.

Negative Declaration No. 2010-01 was considered for the proposal and adopted by the Planning Commission. Because the proposal would be compatible with the existing and planned land uses of the area, it was the recommendation of the Planning Commission that the proposal be approved as submitted.

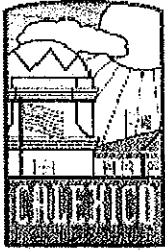
ANALYSIS:

The proposed GPA and corresponding ZC has been analyzed and has been found to be consistent with General Plan Policies, more specifically the Housing Element. Provision for higher density zoning will encourage the construction of affordable housing. This proposal will assist the city in meeting the required regional affordable housing needs pursuant to the California Housing and Community Development.

EXHIBITS:

- A. Staff Report to Planning Commission.
- B. Official Planning Commission Recommendation and Findings (P.C. Resolution No.'s 2008-09, 10 & 11).
- C. City Council draft Negative Declaration Resolution.
- D. City Council draft General Plan Amendment Resolution.
- E. City Council draft Zone Change Ordinance.

Agenda Item No. ____
Page ____ Of ____



PLANNING COMMISSION STAFF REPORT

DATE: Monday, February 22, 2010

TO: Chairman and Members of the Planning Commission

FROM: Armando G. Villa, Director of Community Development *Agph*

PREPARED BY: Mark Vasquez, Associate Planner *MV*

PROJECT TITLE: **Uniform Application No. 2009-18**
General Plan Amendment No. 2010-01 and
Zone Change No. 2010-01

APPLICANT: Chelsea Investments, c/o Jenny Torres
5993 Avenida Encinas, Suite 101
Carlsbad, CA 92008

OWNER: Same

PROJECT REQUESTS

- Negative Declaration No. 2010-01: City of Calexico staff prepared the Negative Declaration (ND) in accordance with provisions contained in the California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq, and the CEQA Guidelines (Section 15000 et seq).
- General Plan Amendment No. 2010-01: The requested General Plan Amendment would redesignate the project site from LDR, Low Density Residential to HDR, High Density Residential.
- Zone Change No. 2010-01: The requested Zone Change would re-zone the project site from PUD, Planned Unit Development to RA, Residential Apartment (20-30 units/acre).

PLANNING COMMISSION STAFF REPORT

FEBRUARY 22, 2010

PAGE 2 of 5

**PROJECT TITLE: UNIFORM APPLICATION NO. 2009-18 (CHELSEA):
GENERAL PLAN AMENDMENT NO. 2010-01; ZONE
CHANGE NO 2010-01 AND NEGATIVE DECLARATION
NO. 2010-01.**

BACKGROUND

The proposed project and requested applications were reviewed by the City's Project Review Committee (PRC) on January 18, 2009. The proposed applications are being submitted in order to allow for future development of approximately 6 acres of land located within the Meadows Village Subdivision, Unit 2, Lot 8. The parcel is vacant and generally characterized by relatively flat topography and common non-native vegetation. City staff and the PRC were supportive of the project as proposed and did not have any major concerns or comments. A Negative Declaration for the project was completed by city staff and mailed to the State Clearinghouse for a 20 day public review period which started on January 29, 2010 and ended on February 18, 2010. No adverse comments were received by responsible reviewing agencies.

The Public Hearing for the project was duly noticed in the Calexico Chronicle including direct mailing to all property owners located within 300' radius of the project site. The public hearing was also posted on the city's internet web site and in front of City Hall. A letter was also mailed to the applicant advising him of the public hearing.

PROJECT LOCATION

The approximately 6 acre project site is part of a larger subdivision developed in the early 90's and known as Meadow's Village, Unit 2 - Lot 8. The site is bounded to the North and East by existing high density residential uses (20-30 units/acre) and to the south and west by low density residential uses (1-6 units/acre). Apartment uses are located north and east of the site with single family homes located on the South. Residential Townhomes are located to the west. The site is bounded to the north and east by the RA zone, to the South by R-1 zoning and to the west by the PUD zone.

PLANNING COMMISSION STAFF REPORT**FEBRUARY 22, 2010****PAGE 3 of 5**

PROJECT TITLE: **UNIFORM APPLICATION NO. 2009-18 (CHELSEA);
GENERAL PLAN AMENDMENT NO. 2010-01; ZONE
CHANGE NO 2010-01 AND NEGATIVE DECLARATION
NO. 2010-01.**

ENVIRONMENTAL SETTING

	EXISTING LAND USE	ZONING	GENERAL PLAN
Project Site	<i>Vacant</i>	<i>(PUD) Planned Unit Development</i>	<i>Low Density Residential</i>
North	<i>Apartments</i>	<i>(R-A) Residential Apartments</i>	<i>Low Density Residential</i>
South	<i>Single Family Residences</i>	<i>(R-1) Single Family Residential</i>	<i>Low Density Residential</i>
East	<i>Apartments</i>	<i>(R-A) Residential Apartments</i>	<i>High Density Residential</i>
West	<i>Townhomes</i>	<i>(PUD) Planned Unit Development</i>	<i>Low Density Residential</i>

PROJECT DESCRIPTION(S)

Project implementation requires city approval of the following documents and discretionary applications: (1) Negative Declaration, (2) General Plan Amendment, (3) Zone Change. The following describes each of these applications and documents.

1. Negative Declaration No. 2010-01

Based upon the Initial Study conducted on the project by city staff, it was concluded that no significant environmental impacts would result from the proposal. The environmental analysis was not project specific but was conducted instead as a program Negative Declaration (ND) to provide the necessary environmental evaluations and clearances for the project. The ND was prepared in accordance with provisions contained in the California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq, and the CEQA Guidelines (Section 15000 et seq). The environmental analysis was not project specific but was conducted as a program Negative Declaration.

2. General Plan Amendment No. 2010-01

The requested General Plan Amendment would re-designate the project site from LDR, Low Density Residential usage to HDR, High Density Residential usage to create consistency with adjacent existing uses.

PLANNING COMMISSION STAFF REPORT

FEBRUARY 22, 2010

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PROJECT TITLE: UNIFORM APPLICATION NO. 2009-18 (CHELSEA);
GENERAL PLAN AMENDMENT NO. 2010-01; ZONE
CHANGE NO 2010-01 AND NEGATIVE DECLARATION
NO. 2010-01.

3. Zone Change No. 2010-01

The requested Zone Change would re-zone the project site from PUD, Planned Unit Development to RA, Residential Apartment (20 -30 units/acre). This proposed zoning would be consistent with the proposed General Plan Amendment and adjacent uses.

ANALYSIS AND DISCUSSIONS

Staff supports the proposed project and recommends approval of the requested, General Plan Amendment, Zone Change, and Negative Declaration for the following reasons.

1. Negative Declaration No. 2010-01

The Negative Declaration is a policy level analysis and not project level. Physical development is not being proposed at this time nor analyzed in the Negative Declaration. Any future proposals could require additional entitlements and approval by the City. It would be at that time that a project level environmental analysis would be conducted to address impacts such as noise, traffic air quality, etc.... The Negative Declaration was prepared in accordance with provisions contained in the California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq, and the CEQA Guidelines (Section 15000 et seq.). As discussed, the proposal would not result in any significant impacts.

2. General Plan Amendment Change No. 2010-01

In order to allow for future development of the site, staff recommends approval of the requested General Plan Amendment which will re-designate the project site from Low Density Residential usage to High Density Residential usage.

3. Zone Change No. 2010-01

In order allow to allow for future development of the site, staff recommends approval of the requested Zone Change which will re-zone the project site from PUD, Planned Unit Development to R-A, Residential Apartment (20-30 units/acre).

SUMMARY AND RECOMMENDATIONS

The foregoing report described the general plan amendment and zone change as proposed.

Options available to the Commission regarding the project include the following:

1. Motion to approve the project with the adoption of the required findings.

PLANNING COMMISSION STAFF REPORT

FEBRUARY 22, 2010

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**PROJECT TITLE: UNIFORM APPLICATION NO. 2009-18 (CHELSEA):
GENERAL PLAN AMENDMENT NO. 2010-01; ZONE
CHANGE NO 2010-01 AND NEGATIVE DECLARATION
NO. 2010-01.**

2. Motion to deny the project with the adoption of the required findings against the proposal.
3. Motion to continue the hearing for further study.

It is staff recommendation that the Planning Commission open the public hearing and allow input from all proponents and opponents of the proposed project. Because the proposal would be compatible with the existing and planned uses of the area, it is staff recommendation that the proposed general plan amendment and zone change be recommended for approval by taking the following action:

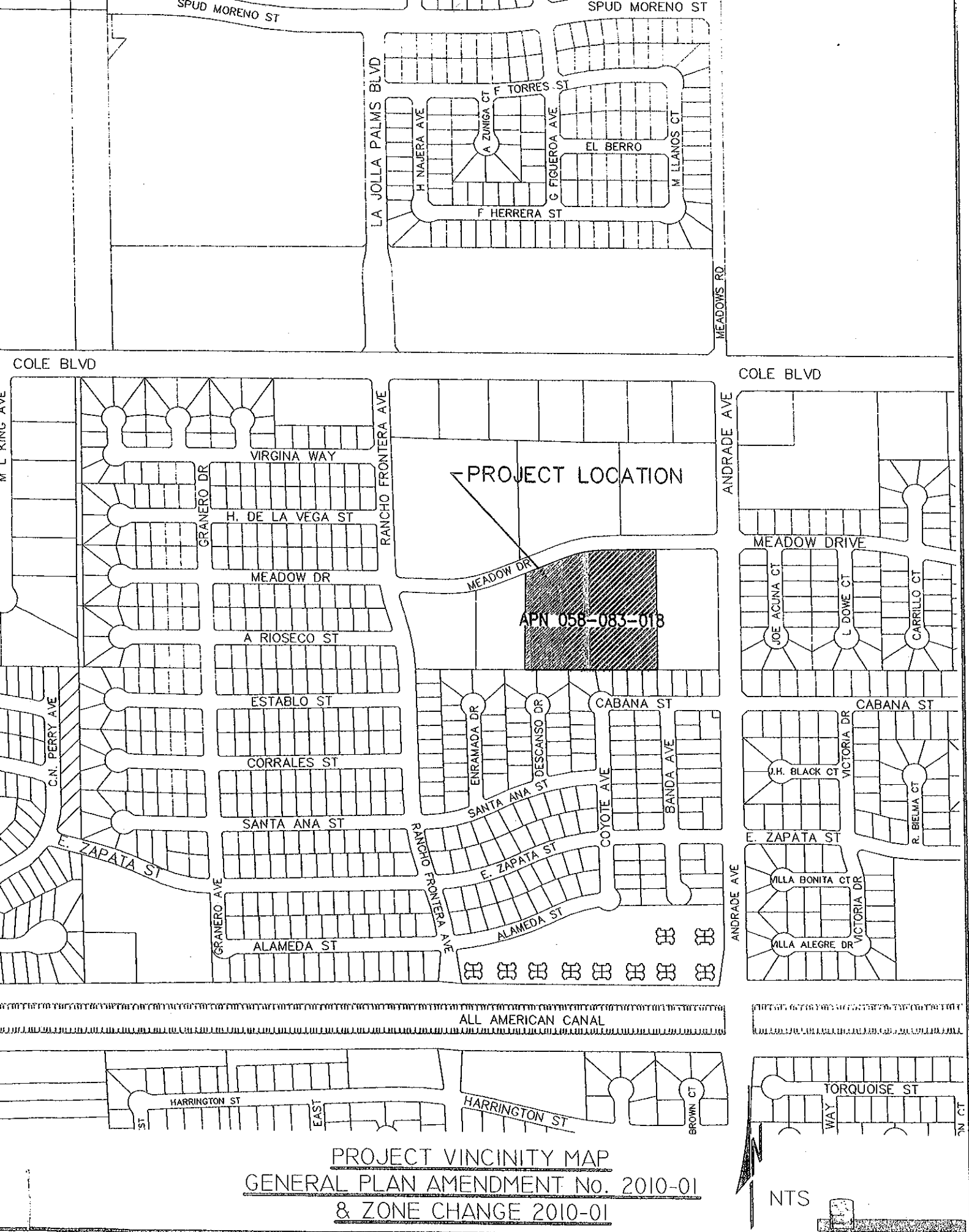
Approve Resolution No. 2010-__ (attachment 2) recommending to the City Council adoption of Negative Declaration No. 2010-10; Resolution No. 2010-__ (attachment 3) recommending to the City Council approval of General Plan Amendment No. 2010-10; and Resolution No. 2010-__ (attachment 4) recommending to the City Council approval of Zone Change No. 2010-10.

PREPARED BY: MARK VASQUEZ, ASSOCIATE PLANNER

APPROVED BY: 
**ARMANDO G. VILLA, COMMUNITY DEVELOPMENT
DIRECTOR**

ATTACHMENTS

1. **NEGATIVE DECLARATION NO. 2010-01**
2. **PLANNING COMMISSION RESOLUTION NO. 2010-__ FOR NEGATIVE DECLARATION NO. 2010-01 (Chelsea)**
3. **PLANNING COMMISSION RESOLUTION NO. 2010-__ FOR GENERAL PLAN AMENDMENT NO. 2010-01 (Chelsea)**
4. **PLANNING COMMISSION RESOLUTION NO. 2010-__ FOR ZONE CHANGE NO. 2010-01 (Chelsea)**



PROJECT VICINITY MAP
GENERAL PLAN AMENDMENT No. 2010-01
& ZONE CHANGE 2010-01

NTS

RESOLUTION NO. 2010-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALEXICO, CALIFORNIA, RECOMMENDING APPROVAL OF NEGATIVE DECLARATION NO. 2010-01 TO THE CITY COUNCIL FOR GPA No. 2010-01 & ZC No. 2010-01, LOCATED IN THE MEADOW VILLAGE SUBDIVISION, UNIT 2, LOT 8

WHEREAS, Chelsea Investment Corporation, has submitted an application for a General Plan Amendment and Zone Change for approximately 6 acres of land located within the Meadows Village Subdivision, Unit 2 Lot 8 (APN: 058-832-018)

WHEREAS, the General Plan Amendment No. 2010-01 and Change of Zone No. 2010-01, together comprise the "project" as defined by Section 21065 of the California Environmental Quality Act (CEQA), Cal. Public Resources Code Section 21000 et seq., which is defined as an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and which includes the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies; and

WHEREAS, Negative Declaration No. 2010-01 has been prepared to evaluate environmental impacts resulting with the project; and

WHEREAS, the Planning Commission of the City of Calexico has been delegated with the responsibility of recommending to the City Council approval of Negative Declarations; and

WHEREAS, public notice of said applications has been given, and the Planning Commission has considered evidence presented by the Community Development Department and other interested parties at a public hearing held with respect to this item on February 22, 2010.

NOW THEREFORE, the Planning Commission of the City of Calexico DOES HEREBY RESOLVE as follows:

SECTION 1. The Planning Commission has considered the proposed Negative Declaration No. 2010-01, prior to making a decision. The Planning Commission finds and determines that Negative Declaration No. 2010-01 is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects of the Specific Plan, based upon the following findings and determinations:

SECTION 2. That in accordance with state planning and zoning law and the City of Calexico the following findings for the approval of Negative Declaration have been made as follows:

EXHIBIT B

**PLANNING COMMISSION RESOLUTION FOR
NEGATIVE DECLARATION No. 2010-01
Page 2 of 3**

1. Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

This evaluation does not contemplate building at this time. Evaluation consisted of analyzing proposed land use and zoning.

2. There is no substantial evidence, in the light of the whole record before the agency, that the project as revised may have significant effect on the environment.

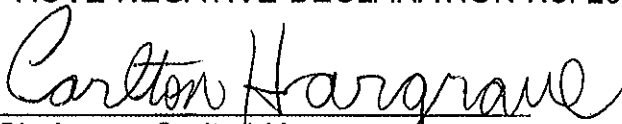
Pursuant to the evidence received in the light of the whole record presented to staff the project will not have a significant effect on the environment considering the applicable Conditions of Approval and Mitigation Monitoring Program.

3. Mitigation measures have been required to ensure all potentially significant impacts are reduced to levels of insignificance.

No mitigation has been required. This is a Negative Declaration.

**PLANNING COMMISSION RESOLUTION FOR
NEGATIVE DECLARATION No. 2010-01
Page 3 of 3**

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY APPROVE NEGATIVE DECLARATION No. 2010-01.


Chairman, Carlton Hargrave
Calexico Planning Commission

STATE OF CALIFORNIA)
CITY OF CALEXICO) ss.
COUNTY OF IMPERIAL)

I Armando Villa, Planning Commission Secretary of the City of Calexico, do hereby certify under the penalty of perjury, that the foregoing Resolution No. 2010-09 was adopted by the Planning Commission at a meeting conducted on February 22, 2010 by the following vote:

AYES: Rodriguez, Cardenas, Higuera, Hargrave, Lopez
NOES:
ABSENT:
ABSTAIN:

ATTEST:



Armando G. Villa, Director Community Development
Secretary to the Planning Commission

RESOLUTION NO. 2010-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALEXICO, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVAL OF AN AMENDMENT TO THE CITY'S GENERAL PLAN FROM LDR, LOW DENSITY RESIDENTIAL TO HDR, HIGH DENSITY RESIDENTIAL (GENERAL PLAN AMENDMENT NO. 2010-01)

WHEREAS, Chelsea Investment Corporation has initiated proceedings to amend the City's General Plan to redesignate approximately 6 acres of land from Low Density Residential Land Usage to High Density Residential Land Usage. (General Plan Amendment No. 2010-01). The proposed project is located within the Meadows Village Subdivision, Unit 2, Lot 8 (APN: 058-832-018); and

WHEREAS, the Planning Commission of the City of Calexico has been delegated with the responsibility of making recommendations to the City Council for amendments to the City's General Plan; and

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on February 22, 2010;

NOW THEREFORE, the Planning Commission of the City of Calexico DOES HEREBY RESOLVE as follows:

SECTION 1. The Planning Commission has considered the requested General Plan Amendment No. 2007-03, prior to making a decision to recommend that the City Council approve the requested General Plan Amendment. The Planning Commission finds and determines that the Negative Declaration document is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects of the Chelsea Project and General Plan Amendment No. 2010-10, based upon the following findings and determinations:

SECTION 2. That in accordance with State Planning and Zoning law and the City of Calexico the following findings for the approval of the requested General Plan Amendment No. 2010-01 have been made as follows:

1. The proposed General Plan Amendment will not be; a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

**PLANNING COMMISSION RESOLUTION FOR
GENERAL PLAN AMENDMENT NO. 2010-01
Page 2 of 2**

2. The proposed General Plan Amendment will permit reasonable development of the area consistent with its constraints and will make the area more compatible with adjacent properties.
3. The proposed General Plan Amendment would establish a land use designation and usage more in character with the subject property's location, access, and constraints.
4. The proposed General Plan Amendment will not have a significant effect on the environment.

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY RECOMMEND that the City Council of the City of Calexico approve the requested General Plan Amendment No. 2010-01.




Chairman, Carlton Hargrave
Calexico Planning Commission

STATE OF CALIFORNIA)
CITY OF CALEXICO) ss.
COUNTY OF IMPERIAL)

I Armando Villa, Planning Commission Secretary of the City of Calexico, do hereby certify under the penalty of perjury, that the foregoing Resolution No. 2010-10 was adopted by the Planning Commission at a meeting conducted on February 22, 2010 by the following vote:

AYES: Rodriguez, Cardenas, Higuera, Hargrave, Lopez
NOES:
ABSENT:
ABSTAIN:

ATTEST:



Armando G. Villa, Director of Community Development
Secretary to the Planning Commission

RESOLUTION NO. 2010-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALEXICO, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE CHANGE TO CHANGE THE ZONING CLASSIFICATION FOR THE PROJECT AREA FROM "PUD,"(PLANNED UNIT DEVELOPMENT) TO "R-A," (RESIDENTIAL APARTMENT, 20 - 30 UNITS/ACRE). (ZONE CHANGE NO. 2010-01)

WHEREAS, Chelsea Investment Corporation filed an application to change the zoning classification for approximately 6 acres of land from "PUD," (Planned Unit Development) to "R-A," (Residential Apartment, 20 -30 acres/acre). (Zone Change No. 2010-01) The proposed project area is located within the Meadows Village Subdivison, Unit 2, Lot 8 (APN:058-832-018); and

WHEREAS, the Planning Commission of the City of Calexico has been delegated with the responsibility of making recommendations to the City Council for changes to the approved Zoning Map; and

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Community Development Department and other interested parties at a public hearing held with respect to this item on February 22, 2010;

NOW THEREFORE, the Planning Commission of the City of Calexico DOES HEREBY RESOLVE as follows:

SECTION 1. The Planning Commission has considered the proposed Zone Change No. 2010-01, prior to making a decision to recommend that the City Council approve the proposed amendment to the Zoning Map. The Planning Commission finds and determines that this project is consistent with the Calexico Municipal Code (CMC) and determines that a Negative Declaration is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with state planning and zoning law and the City of Calexico the following findings for the approval of Zone Change No. 2010-01, have been made as follows:

1. The proposed zone change will not be; a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

The proposed Zone Change has been analyzed relative to its potential to be

**PLANNING COMMISSION RESOLUTION FOR
ZONE CHANGE NO. 2010-01**

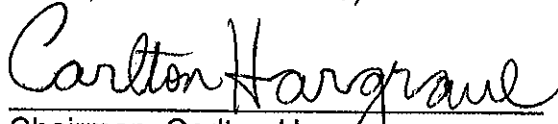
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detrimental to the health, safety, comfort and welfare of the persons residing or working within the neighborhood of the proposed Zone Change. Staff concluded that the project does not propose land uses, densities, or development patterns that will jeopardize the health and safety of the persons residing or working within the neighborhood of the property. Health, safety, and welfare will not be degraded as a result of this project.

2. The proposed action will be consistent with the Goals, Objectives, and Policies of the General Plan and the development standards established with the Calexico Municipal Code (CMC).

Base on its analysis, staff has concluded that the requested Zone Change is consistent with the land use designations of the General Plan's and the Zone Change will assist in achieving the development of a well-balanced and functional mix of residential uses, within the City boundaries.

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY RECOMMEND that the City Council of the City of Calexico approve the proposed Zone Change No. 2010-01 from "PUD," (Planned Unit Development) to "R-A" (Residential Apartment, 20 - 30 units/acre).


Chairman, Carlton Hargrave
Calexico Planning Commission

STATE OF CALIFORNIA)
CITY OF CALEXICO)
COUNTY OF IMPERIAL) ss.

I Armando Villa, Planning Commission Secretary of the City of Calexico, do hereby certify under the penalty of perjury, that the foregoing Resolution No. 2010-11 was adopted by the Planning Commission at a meeting conducted on February 22, 2010 by the following vote:

AYES: Rodriguez, Cardenas, Higuera, Hargrave, Lopez
NOES:
ABSENT:
ABSTAIN:

ATTEST:



Armando G. Villa, Director of Community Development
Secretary to the Planning Commission

RESOLUTION NO. 2010-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CALEXICO ADOPTING NEGATIVE DECLARATION
NO. 2010-01 WITHOUT MITIGATION MONITORING
PLAN FOR**

PROJECT: Zone Change No. 2010-01 and Zoning Ordinance Text Amendment No.2010-01. The project proposes a Zone Change from PUD, Planned Unit Development to RA, Residential Apartment (20 -30 units per acre) for approximately 6 acres of land located within the Meadows Village Subdivison, Unit 8, lot 2. The General Plan Amendment proposes to redesignate the the site from LDR, Low Density Residential to HDR, High Density Residential usage.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines, of 1970, as amended, a Negative Declaration without mitigation measures and monitoring program is appropriate for the above named project; and

WHEREAS, on the basis of the whole record, including the Initial Study for the above-named project and comments received, the City Council finds that here is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the City of Calexico's independent judgment and analysis; and

WHEREAS, the City Clerk and Director of Planning and Community Development located at 608 Heber Avenue, Calexico, California, are the custodians of the records or materials which constitutes the record of proceedings upon which the City Council's decision is based in this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above and foregoing is true, correct and adopted.
2. That the Negative Declaration without mitigation measures and monitoring program, a copy of which is on file in the Office of the City Clerk, for the above named project is hereby adopted.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on this ____ day of _____, 2010.

CITY OF CALEXICO

David Ouzan, Mayor

EXHIBIT C

ATTEST:

Lourdes Cordova
City Clerk

APPROVED AS TO FORM:

Jennifer M Lyon, City Attorney

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) ss
CITY OF CALEXICO)

I, Lourdes Cordova, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Resolution No. 2010-____ was duly and regularly adopted at a regular meeting of the City Council of the City of Calexico, California held on this _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lourdes Cordova, City Clerk

RESOLUTION NO. 2010-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CALEXICO, CALIFORNIA APPROVING AN
AMENDMENT TO THE CITY'S GENERAL PLAN FROM
LOW DENSITY RESIDENTIAL TO HIGH DENSITY
RESIDENTIAL FOR PROPERTY LOCATED WITHIN THE
MEADOWS VILLAGE SUBDIVISION, UNIT 2, LOT 8.
(GENERAL PLAN AMENDMENT NO. 2010-01)**

WHEREAS, Chelsea Investment Corporation has initiated proceedings to amend the City's General Plan from low density residential to high density residential for property located within the Meadows Village Subdivision, Unit 2, Lot 8, further described as APN 058-171-18; (General Plan Amendment No. 2007-03); and

WHEREAS, Section 65361(a) of the Government Code provides that no mandatory element of a General Plan shall be amended more frequently than four times during any calendar year; and

WHEREAS, the City Council of the City of Calexico has been delegated with the responsibility of approving amendments to the City's General Plan; and

WHEREAS, the Planning Commission, at its regular meeting on February 22, 2010, held a duly noticed public hearing, and recommended to the City Council approval of General Plan Amendment No. 2010-01, with the adoption of Resolution No. 2010-01; and

WHEREAS, public notice of said application has been given, and the City Council has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on March 16, 2010.

NOW THEREFORE, the City Council of the City of Calexico, California DOES HEREBY RESOLVE as follows:

SECTION 1. The City Council has considered the requested General Plan Amendment No. 2010-01, prior to making a decision to approve the requested General Plan Amendment. The City Council finds and determines that Negative Declaration No. 2010-01, prepared for the proposal, is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects of the General Plan Amendment No. 2010-01.

SECTION 2. That in accordance with State Planning and Zoning law and the City of Calexico the following findings for the approval of the requested General Plan Amendment No. 2010-01 have been made as follows:

1. The proposed General Plan Amendment will not be; a) detrimental to the health, safety,

EXHIBIT D

**CITY COUNCIL RESOLUTION FOR
GENERAL PLAN AMENDMENT NO. 2010-01
Page 2 of 3**

comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

2. The proposed General Plan Amendment will permit reasonable development of the area consistent with its constraints and will make the area more compatible with adjacent properties.
3. The proposed General Plan Amendment would establish a land use designation and usage more in character with the subject property's location, access, and constraints.
4. The proposed General Plan Amendment will not have a significant effect on the environment.

NOW, THEREFORE, based on the above findings, the City Council of the City of Calexico, California DOES HEREBY APPROVE General Plan Amendment No. 2010-01.

PASSED, APPROVED AND ADOPTED THE ____ DAY OF ____ 2010

CITY OF CALEXICO

DAVID OUZAN, MAYOR

ATTEST:

LOURDES CORDOVA, CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON, CITY ATTORNEY

**CITY COUNCIL RESOLUTION FOR
GENERAL PLAN AMENDMENT NO. 2010-01
Page 3 of 3**

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS.
CITY OF CALEXICO)

I, LOURDES CORDOVA, CITY CLERK OF THE CITY OF CALEXICO, CALIFORNIA DO
HEREBY CERTIFY THAT THE ABOVE FOREGOING RESOLUTION NO. 2007-__, WAS
DULY PASSED AND ADOPTED BY THE CITY OF CALEXICO ON THIS ____ DAY OF
____ 2007 BY THE FOLLOWING VOTE TO WIT:

AYES:
NOES:
ABSENT:
ABSTAIN:

LOURDES CORDOVA, CITY CLERK

S E A L

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF CALEXICO, CALIFORNIA APPROVING A CHANGE
OF ZONE CHANGE FROM PUD, PLANNED UNIT
DEVELOPMENT TO RA, RESIDENTIAL APARTMENTS
(20-30 UNITS PER ACRE) FOR APPROXIMATELY 6
ACRES OF LAND GENERALLY LOCATED WITHIN THE
MEADOWS VILLAGE SUBDIVISION UNIT 2, LOT 8.
(ZONE CHANGE No. 2010-01)**

WHEREAS, the city initiated an application to change the Zoning classification from PUD, Planned Unit Development to RA, Residential Apartment for one parcel of land totaling approximately 6 acres located within the Meadows Village Subdivision, Unit 2, Lot 8 herein depicted on map attached as Exhibit A and further described as APN: 058-171-018 and;

WHEREAS, the City Council of the City of Calexico has been delegated with the responsibility of approving changes to the City's Zoning Map; and

WHEREAS, the Planning Commission, at its regular meeting on February 22, 2010, held a duly noticed public hearing, and recommended to the City Council approval of Zone Change No. 2010-01 with the adoption of Resolution No. 2010-___; and

WHEREAS, the City Council held a duly noticed public hearing on March 16, 2010 at which time all interested parties were given an opportunity to address the City Council on these matters; and

WHEREAS, The City Council of the City of Calexico, California finds that the proposed Zone Change is consistent with the policies and goals of the adopted General Plan and in accordance with State Planning and Zoning law and the City Municipal Code.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO
DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The City Council has considered the report and recommendation of the Planning Commission including, Negative Declaration No. 2010-01, prior to making a decision to approve the proposed amendment to the Zoning Map. The City Council finds and determines that Negative Declaration No. 2009-01 prepared for the proposal is adequate and in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

SECTION 2. That in accordance with State Planning and Zoning law and the City of Calexico Municipal Code the following findings for the approval of proposed Zone Change No. 2010-01 have been made:

1. The proposed zone change will not be; a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the

EXHIBIT E

**CITY COUNCIL ORDINANCE FOR
ZONE CHANGE NO. 2010-01
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neighborhood or within the City.

2. The proposed action will be consistent with the Goals, Objectives, and Policies of the General Plan and the development standards established under the Calexico Municipal Code (CMC).

SECTION 3. The Official Zoning Map of the City shall be amended to reflect Zone Change No. 2010-01, for APN:058-171-018 from R-1 to R-A.

SECTION 4. Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other ordinance provisions or clauses or applications therefore which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this ordinance are declared to be severable.

PASSED, APPROVED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California held on this ____ day of _____ 2010.

CITY OF CALEXICO

DAVID OUZAN, MAYOR

ATTEST:

LOURDES CORDOVA, CITY CLERK

**CITY COUNCIL ORDINANCE FOR
ZONE CHANGE NO. 2010-01
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APPROVED AS TO FORM:

JENNIFER M. LYON, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS
CITY OF CALEXICO)

I Lourdes Cordova, City Clerk of the City of Calexico, California, do hereby certify under penalty of perjury that the foregoing is a true and correct copy of Ordinance No. _____, that was duly and regularly introduced at a regular meeting of said City Council held on _____, 2010 and was adopted by said City Council at a regular meeting held on _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LOURDES CORDOVA, CITY CLERK

SEAL